

EXHIBIT B

FILED

MAR 26 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

Richard J. Crane, #C-44519,
Salinas Valley State Prison
Fac. 'A' Bldg.#3, cell #124,
Soledad,
CA 93960-1050

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD JOSEPH CRANE,)	No. C-07-0763-JF (PR)
)	
Plaintiff,)	AFFIDAVIT OF RICHARD JOSEPH CRANE
)	IN SUPPORT OF TEMPORARY
vs.)	RESTRAINING ORDER
)	
M.S. EVANS, Warden, et al.,)	
)	
Defendants.)	
)	
)	

I, Richard Joseph Crane, do hereby affirm that:

1. I, am the plaintiff, a California State Prisoner, and am pursuing this lawsuit without the assistance of counsel.
2. I'm being constantly retaliated against by California State Prison guards, because I am suing them and their Superiors in Federal Court Civil Rights lawsuits.
3. On March 8th, 2007, I was returning from law library and at entrance to building 3, and C.O. Ambriz stood in the control tower of building three and stated: "Crane you're still going to be in prison." I figured this to mean the lawsuits (even though true) would not call for my release from prison.

1 4. C.O. Ambriz has continued to taunt me like this, and mocked
2 at the fact that I have been protesting these false segregated
3 confinement and pursued legal remedies of these abuses. Ambriz
4 is one of a group of Correctional Officers whom are directly and
5 legally responsible for imposing these unconstitutional confine-
6 ments, and is constantly refusing affiant the request to speak to
7 inmate Larry Padilla, and yells at affiant when affiant tries to
8 wait to talk with inmate Padilla, to "keep walking Crane."

9 5. Correctional Officers, Ambriz; Bender; Dotson; Parris; Luna;
10 and Mata, along with numerous other Prison Guards, which include
11 Roach, and Lord, are directly involved in these Civil Rights
12 offenses alleged in this action.

13 6. On March 15, 2007, 4:00 p.m. Dinner release. C.O. Bender
14 had two Prison Guards stop the affiant in the dayroom, and said
15 have him wait. After all the inmates left to Dinner, Bender said
16 "Why didn't you go to chow when I said to." I explained to Bender
17 that I was washing my hands for Dinner. I then confronted Bender
18 with the fact that, "You just stopped me because I am suing you
19 people (Guards), and he looked blank. Bender then started lying
20 that, "I don't even know you." I told Bender "You know exactly
21 who I am. You release me for law library, and force me to stay
22 outside when I return." To deny me a shower.

23 7. On March 16, 2007, C.O. Ambriz refused to turn the power
24 (electrical) on inside of the cell, and my neighbor Michael Clark
25 asked why. Ambriz handed a key to C.O. Zornes which was not the
26 key, and then told C.O. Zornes I threatened to file a 602 Appeal.
27 Zornes became enraged & came to the cell with this key and said:
28 "The key doesn't work." Striking the cell window aggressively.

1 "Your power will be off until Monday." To stop affiant's typing.

2 8. March 16, 2007, at 11:00 p.m. Count inmate Michael Cark
3 asked the next shift Guard to please turn the power on, and the
4 Guard retrieved the correct key from the control officer whom had
5 replaced Ambriz and turned the power on. C.O. Ambriz had lied
6 about the key to Zornes and passed him the wrong key. Then Ambriz
7 lied to Zornes saying affiant threatened to file a 602 on him, but
8 affiant said he would have to file on Ambriz. Ambriz caused a
9 conflict between affiant and C.O. Zornes by making a false claim
10 affiant threatened to file on him.

11 9. March 19, 2007, C.O. Zornes came to work after weekend off,
12 and went into affiant's cell and tossed items of both affiant and
13 his cellmate around, and left without supplying cell search
14 receipt.

15 10. On March 20, 2007, Sgt. Galloway came into building 3 and
16 was talking to Zornes and was accompanied by Captain Hatton.

17 11. These Officials, Sgt. Galloway was a C.O. on facility 'A'
18 during most of the solitary confinements imposed, and was raised
19 to Sergeant later. Hatton, was a Lieutenant on facility 'A' at
20 time of confinements, and has been promoted to Captain. D.M.
21 Mantel was Appeals Coordinator while affiant attempted to submit
22 several appeals on these confinements and rejected affiant's
23 appeals, then became Captain of facility 'A', and now is alleged
24 to be Associate Warden newly appointed.

25 12. The affiant is suing Official Hatton in a Federal Civil
26 Rights lawsuit for retaliation, denial of due process, and denial
27 of a protected liberty interest in case number C-06-6910 JF (PR),
28 and in 9th Circuit case No. 05-17410 for preliminary injunction.

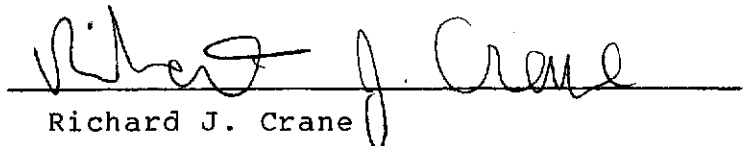
1 13. Sergeant Galloway is the person whom converted affiant's
2 Medical Appeal by lying about affiant's Lumbar Disk Disease, and
3 did this to obstruct affiant from suing him and his fellow Prison
4 Guards for violating inmates' right to humane conditions of
5 confinement in this suit.

6 14. On March 20, 2007, affiant's door was opened to go to law
7 library, and C.O. Zornes told affiant "go back to your fucking
8 cell", and when C.O. Thompson told him I have a Law Library Ducat
9 pass, C.O. Zornes said have him lock up they haven't called for
10 him, and was acting wild and aggressive. Affiant sat in cell.

11 15. The affiant fully and unequivocally believes that, these
12 Prison Officials and Prison Guards are conspiring together to
13 take retribution against this affiant for his civil rights
14 actions. (See Exhibit 'A' INMATE PASS LIBRARY DUCAT.)

15 I, Richard Joseph Crane, do hereby affirm that the
16 foregoing is true and correct from my own knowledge, and as to
17 those matters stated on my information and belief, I believe that
18 they are true.

19 Dated: March 20, 2007.

20
21 
22 Richard J. Crane
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INMATE PASS
LIBRARY DUCAT

Inmate: CRANE
CDC #: C44519
House: A 3 124
Date: 03/20/07
Time: 1300

Approved By:

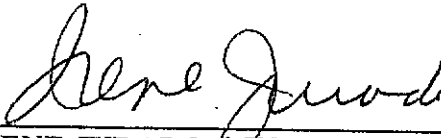

IRENE JURADO, LTA, Ext. 6156

EXHIBIT A

STATE OF CALIFORNIA
COUNTY OF MONTEREY

(C.C.P. SEC. 466 & 2015.5; 28 U.S.C. SEC. 1746)

I, Richard Joseph Crane, declare under penalty of perjury that: I am the plaintiff in the above entitled action; I have read the foregoing documents and know the contents thereof and the same is true of my own knowledge, except as to matters stated therein upon information, and belief, and as to those matters, I believe they are true.

Executed this 21 day of March, 2007, at Salinas Valley State Prison, Soledad, California 93960-1050.

(Signature)

Richard J. Crane
DECLARANT/PRISONER

PROOF OF SERVICE BY MAIL

(C.C.P. SEC 1013(a) & 2015.5; 28 U.S.C. SEC. 1746)

I, Richard J. Crane, am a resident of California State Prison, in the County of Monterey, State of California; I am over the age of eighteen (18) years and am/am not a party of the above entitled action. My state prison address is: P.O. Box 1050, Soledad, California 93960-1050.

On March 21, 2007, I served the foregoing:

AFFIDAVIT OF RICHARD JOSEPH CRANE IN SUPPORT OF MOTION FOR A
TEMPORARY RESTRAINING ORDER

(Set forth exact title of document(s) served)

On the party(s) herein by placing a true copy(s) thereof, enclosed in sealed envelope(s), with postage thereof fully paid, in the United States Mail, in a deposit box so provided at Salinas Valley State Prison, Soledad, California 93960-1050.

SCOTT J. FEUDALE, Supervising Attorney General, 455 Golden Gate Ave.,
Suite 11000, SAN FRANCISCO, CA 94102-7004

(List parties served)

There is delivery service by United States Mail at the place so addressed, and/or there is regular communication by mail between the place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: March 21, 2007

Richard J. Crane
DECLARANT/PRISONER